



US Army Corps  
of Engineers®  
Little Rock District

# JOINT PUBLIC NOTICE

*CORPS OF ENGINEERS – STATE OF MISSOURI*

**Application Number: GP-45 (2020-00137)**

**Date: February 14, 2025**

**Comments Due: March 17, 2025**

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## **STATE OF MISSOURI PROPOSED REISSUANCE OF A REGIONAL GENERAL PERMIT MAINTENANCE OF MAN-MADE LAKES AND PONDS (GP-45)**

In accordance with Title 33 CFR 325.2 and 325.7(e), as published in the November 13, 1986, Federal Register, the U.S. Army Corps of Engineers, Little Rock District proposes to reissue a Regional General Permit (RGP), GP-45, which would authorize the maintenance of man-made lakes and ponds. Permitted activities involve sediment removal, wave attenuation structures, shoreline stabilization, and fish and wildlife habitat improvement. The RGP would be reissued for a period of 5 years.

From September 2020 to February 2025, there have been 14 verifications issued within the state of Missouri under the provisions of this RGP. The currently approved GP-45 is scheduled to expire on September 29, 2025.

**PUBLIC NOTICE:** This public notice is issued jointly with the Missouri Department of Natural Resources, Water Protection Program. The Department of Natural Resources will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Missouri Department of Natural Resources by email at [wp401cert@dnr.mo.gov](mailto:wp401cert@dnr.mo.gov) or by mail at P.O. Box 176, Jefferson City, Missouri 65102.

**APPLICANT:** General public, government agencies

**PROJECT LOCATION:** All Counties in Missouri – Man-made lakes and ponds in the State of Missouri, lakeward of the ordinary high water mark. The Lake of the Ozarks and locations in or occurring within two miles upstream of a designated outstanding state or national resource water pursuant to Missouri 10 CSR 20-7.031 are excluded from use of this RGP. Discharges in other Waters of the U.S. are not authorized by this RGP.

**AUTHORITY:** Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344).

**ACTIVITY** (As shown on the attached permit): This RGP authorizes the discharge of dredged or fill material associated with activities designed to improve water quality, improve fish and wildlife habitat, maintain recreational value, and extend the lifespan of man-made lakes and ponds. This permit authorizes the removal and discharge of lakebed/pond sediment in conjunction with mechanical dredging, hydraulic dredging (including return water from such activities) and excavation activities. The use of standard construction equipment to remove

accumulated sediment is authorized by this permit. The dredged/excavated material may be used in the construction of jetties/breakwaters, shoreline stabilization structures, fish and wildlife habitat improvement structures and other similar activities. Fill material from off-site locations shall only be used as long as the fill material is determined to be suitable material by the Corps. The original depths, elevations, contours and size of the water body shall not be exceeded as a result of the sediment removal process. Dredged or excavated material must be disposed of in an upland area, a previously authorized disposal area or as described in the "Authorized Uses of Dredged/Excavated Material" section of this permit. All material must be stabilized where it cannot be introduced into the water body or any adjacent wetland as a result of runoff, flooding, wind, or other natural forces.

This RGP will also authorize the construction of jetties, breakwaters, hard points, bank stabilization, temporary sediment basins or similar features designed to attenuate wave action not associated with sediment removal. This permit will only be used to authorize regulated activities in existing man-made lakes and ponds located in jurisdictional Waters of the United States. This permit does not apply to lacustrine systems that have wholly converted to a palustrine system due to lack of maintenance and/or abandonment. This permit shall be used to authorize a project that results in an overall net benefit and does not result in a more than minimal impact to the aquatic environment.

RGPs may cause only minimal individual and cumulative environmental impacts. Accordingly, the Corps is specifically requesting public comments on reasonable limits for authorized activities to remain within minimal impact thresholds.

**WETLANDS/AQUATIC HABITAT:** Generally, compensatory mitigation will not be required for impacts to wetlands formed as a result of erosion or sedimentation within the impoundments. Reference Regulatory Guidance Letter (RGL) 18-01, Determination of Compensatory Mitigation Credits for the Removal of Obsolete Dams and Other Structures from Rivers and Streams concerning loss of wetlands due to ecosystem restoration.

**SECTION 408:** Section 408 authorization is required for work to alter a Corps civil works project. An alteration is defined as any action that builds upon, alters, improves, moves, occupies or otherwise affects the usefulness, or the structural or ecological integrity of a Corps federally authorized project. This project will be evaluated in accordance with Engineer Circular 1165-2-220.

**ADDITIONAL INFORMATION:** Additional information about this application may be obtained by contacting Ryan King, U.S. Army Corps of Engineers, Kansas City District, Missouri State Regulatory Office, 515 East High Street, Suite 202, Jefferson City, Missouri 65101, 816-389-3015. All comments to this public notice should be sent to:  
[Regulatory.MissouriState@usace.army.mil](mailto:Regulatory.MissouriState@usace.army.mil).

**CULTURAL RESOURCES:** Little Rock District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. No activity which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places is authorized, until the District Engineer has complied with the provisions of 33 CFR Part 325, Appendix C and

applicable guidance.

**ENDANGERED SPECIES:** Projects eligible for authorization under this RGP may be located within the known range of Federally listed, threatened or endangered species. All Projects located within the known range of any Federally listed species will require consultation with the U.S. Fish and Wildlife Service, pursuant to Section 7 of the Endangered Species Act (ESA), to determine the potential effects on a particular species or critical habitat. The Corps will comply with the ESA.

**WATER QUALITY CERTIFICATION:** The Clean Water Act (CWA) Section 401 Water Certification Improvement Rule (Certification Rule, 40 CFR 121), effective November 27, 2023, requires certification for any license or permit that authorizes an activity that may result in a discharge. The Little Rock District, as the project proponent for this RGP renewal, is responsible for requesting certification and providing the required information to the certifying agencies. The Little Rock District has determined that the appropriate certifying agencies for this RGP renewal are the U.S. Environmental Protection Agency and the Missouri Department of Natural Resources. Adhering to the guidance provided in the preamble to the Water Certification Improvement Rule and requirements of 40 CFR 121.5(a)(2), the Little Rock District will request certification after publication of the draft Federal permit. The requests for certification will be in accordance with 40 CFR 121.5 and 121.

**PUBLIC INTEREST REVIEW:** The decision to re-issue this RGP will be based on an evaluation of the probable impact including the cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, esthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (33 USC 1344). The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or withdraw this RGP proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**COMMENTS:** This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments prior to determining if re-issuance of a permit would be in the public interest. Any interested party is invited to submit to this office written facts or objections relative to the activity on or before the public notice expiration date.

Comments both favorable and unfavorable will be accepted and made a part of the record and will receive full consideration in determining whether it would be in the public interest to reissue the RGP. Copies of all comments, including names and addresses of commenters, may be provided to the applicant. Comments should be emailed to the address shown on page 2 of this public notice.

**PUBLIC HEARING:** Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this RGP. Such requests shall state, with particularity, the reasons for holding a public hearing.